

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION.

INCOME TAX APPLICATION NO. 68 OF 2002.

The Commissioner of Income Tax... Petitioner
V/s.
Indian Resorts Hotels Ltd. ... Respondents.

Mr. Ashok Kotangale for the petitioner.

Mr. P.C. Tripathi for the respondents.

CORAM : V.C.DAGA & J.P.DEVADHAR,JJ.

DATED : 11.7 .2006.

P.C. :

. Parties to the application have presented Minutes of the Order dated 11.7.2006, duly signed by their respective Counsel. The same is taken on record and marked X for identification. Application stands disposed of in terms of the Minutes of the Order and accordingly questions framed therein are answered.

. Both the Counsel appearing for the parties agree that question No.1 is covered by the decision of the Supreme Court in the case of CIT vs. Anand Theatre(244 ITR 192) in favour of the petitioner and against the assessee and question No.2 is covered by the decision of the Supreme Court in the case of East India Hotels Ltd. vs. CIT (223 ITR 1) in favour of the respondents and against the revenue.